In the High Court of Judicature for Rajasthan
At
Jaipur Bench, Jaipur

O R D E R

In

S.B. Criminal Misc. Bail Application No.7421/2006
Prahlad Vs. State of Rajasthan

Date Of Order :: 1st December, 2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. Sagheer Ahamed Qureshi, for petitioner.
Mr. R.P. Kuldeep, Public Prosecutor for State.

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Heard learned counsel for accused petitioner, learned Public Prosecutor for the State, perused the case diary and other material produced during the course of arguments.

It is contended on behalf of the accused petitioner that he is a student and minor boy of 17 years which is evident from his certificate of Secondary School Examination. It is also submitted that the so called theft goods i.e. four bags of mustard seeds have been recovered from the possession of the co-accused Mujeeb Khan and this fact also shows that the accused petitioner is nothing to do with this offence. It is also submitted that there is no iota of evidence against the accused petitioner except some statement of the co-accused Mujeeb Khan.

Learned Public Prosecutor opposed the bail application but admitted that the so called theft goods have been recovered from the possession of the co-accused Mujeeb Khan.

Without making any observations on merits, having considered the rival submissions made at the bar, nature of accusation, material on record, all other facts and circumstances and also keeping in view the age of the accused petitioner and

the fact that there is no allegation that the accused petitioner is having any criminal antecedents and the so called four bags of mustard seeds have already been recovered from the possession of the co-accused Mujeeb Khan, I deem it proper to grant the benefit of pre-arrest bail to accused petitioner Prahlad.

In the result, the bail application is allowed and it is directed that in the event of arrest of petitioner Prahlad S/o. Gopal, he shall be released on bail by the concerned SHO/Investigating Officer in FIR No.111/2006 registered at Police Station Siswali, District Baran provided he furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to the satisfaction of the concerned SHO/Investigating Officer on the following conditions :-

1. that he shall make himself available for interrogation by a police officer as and when required;
2. that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or any police officer; and
3. that he shall not leave India without previous permission of the Court.

(J.R. Goyal),J

VS Shekhawat/-
Jr. P.A.